

Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-10 ISO-00 L-02 AID-05 CEA-01 CIAE-00

COME-00 EB-07 FRB-03 INR-07 NSAE-00 CIEP-01 SP-02

STR-01 TRSE-00 LAB-04 SIL-01 SAM-01 OMB-01 NSC-05

SS-15 TAR-01 OIC-02 /082 R

DRAFTED BY CUSTOMS:DBANOWETZ:CMS/EUR/RPE:WLDUTT

APPROVED BY IO/CMD:WWWOODBURY

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EUR/SOV:M KOVNER

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R 191946Z MAR 75

FM SECSTATE WASHDC

TO USMISSION GENEVA

USMISSION EC BRUSSELS

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E.O.11652:N/A

TAGS:ETRD/SZ, ECE

SUBJECT:ECE -- REVISION OF TIR CONVENTION

REF: GENEVA 1047

1. AS DEPARTMENT UNDERSTANDS ISSUES RAISED BY REFTTEL, THEY CONSIST OF (A) WHETHER MEMBER STATE OCCUPYING EC PRESIDENCY CAN ALSO ACT ON BEHALF OF EC AS AN INSTITUTION, RATHER THAN JUST ON BEHALF OF THE NINE MEMBER STATES AND (B) WHETHER EC AS AN INSTITUTION CAN BECOME SIGNATORY TO REVISED TIR CONVENTION ALONG WITH THE NINE INDIVIDUAL EC STATES.

2. THE PROVISIONS OF ARTICLE 12 OF ECE TERMS OF REFERENCE NOTWITHSTANDING, WE ARE GENERALLY SYMPATHETIC TO DESIRE OF LIMITED OFFICIAL USE

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THE EC NINE TO ACT INCREASINGLY AS A UNIT IN INTERNATIONAL

FORA. FOR EXAMPLE, WE SUPPORTED THEIR SUCCESSFUL APPLICATION AT THE 29TH GENERAL ASSEMBLY FOR UN OBSERVER STATUS. IT CAN ALSO BE ARGUED THAT THE EC REPRESENTS A SUI GENERIS CASE NOT FALLING UNDER THE DEFINITION OF AN INTERGOVERNMENTAL ORGANIZATION AS CONCEIVED BY ORIGINAL DRAFTERS OF ECE REFERENCE TERMS, WHICH PREDATE EXISTENCE OF EC.

3. ACCORDINGLY, WE WOULD AT THIS STAGE LIKE TO BE HELPFUL. HOWEVER, WE SHOULD AVOID TAKING LEGALISTIC POSITION WHICH COULD INJECT US INTO MIDDLE OF THE CONTROVERSY. WE HAVE NO OBJECTIONS TO EC BECOMING SIGNATORY TO REVISED CONVENTION, EXCEPT IN UNLIKELY EVENT THIS WOULD LEAD TO SUBSTANTIVE CHANGES IN CONVENTION DETRIMENTAL TO US INTERESTS.

4. FOR EC BRUSSELS: YOU MIGHT WISH TO DISCUSS PROBLEM WITH APPROPRIATE COMMISSION OFFICIALS. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEMBERSHIP, POLICIES, RELATIONS WITH REGIONAL ORGS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE061899
Document Source: CORE
Document Unique ID: 00
Drafter: DBANOWETZ:CMS/EUR/RPE:WLDUTT
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750096-1015
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750335/aaaabfkm.tel
Line Count: 76
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 GENEVA 1047
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 15 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 APR 2003 by ShawDG>; APPROVED <20 MAY 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CE -- REVISION OF TIR CONVENTION
TAGS: ETRD, SZ, ECE
To: GENEVA EC BRUSSELS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006